

**UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

UNITED STATES OF AMERICA,

Plaintiff,

v.

Case No. 4:14-cr-40085-JPG-1

MARTELL L. BROWN-WRIGHT,

Defendant.

**MEMORANDUM & ORDER**

**J. PHIL GILBERT, DISTRICT JUDGE**

This matter comes before the Court on Martell Brown-Wright's motion for copies of the transcripts from all court proceedings in this case. (Doc. 45.) He also requests an *in forma pauperis* form in case there is a charge for these transcripts.

Defendants have no constitutional right to a complimentary copy of any document in their court files. *See United States v. Groce*, 838 F. Supp. 411, 413, 414 (E.D. Wis. 1993). Before providing copies free of charge, a district court may require the requestor to show: (1) that he has exhausted *all* other means of access to his files (*i.e.*, through his trial and appellate counsel); (2) that he is financially unable to secure access to his court files (*i.e.*, through a showing similar to that required in 28 U.S.C. § 1915(a)(2) which includes a certified copy of the prisoner's trust account for the previous six-month period prior to filing); and (3) that the documents requested are necessary for the preparation of some specific non-frivolous court action. *See United States v. Wilkinson*, 618 F.2d 1215, 1218-19 (7th Cir. 1980); *Rush v. United States*, 559 F.2d 455, 459 (7th Cir. 1977); *Groce*, 838 F. Supp. at 413-14. These minimal requirements do not impose any substantial burden to financially unable prisoners who desire their records be sent to them at government expense.

If Brown-Wright wishes for copies of all transcripts available in this case, he must refile his motion and explain why his request meets the aforementioned three factors. Accordingly, the Court **DENIES** Brown-Wright's motion and **DIRECTS** the Clerk of Court to send a copy of form AO 240 (Rev. 07/10): Application to Proceed in District Court Without Prepaying Fees or Costs (Short Form), to Martell Brown-Wright, Reg. No. 11354-025, USP Marion, U.S. Penitentiary, P.O. Box 1000, Marion, IL 62959.

**IT IS SO ORDERED.**

**DATED: FEBRUARY 5, 2018**

s/ J. Phil Gilbert  
**J. PHIL GILBERT**  
**DISTRICT JUDGE**